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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/007,633	11/09/2001	Maarten W. 't Hooft	SUN-P7046	9977

24209 7590 09/08/2005

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EXAMINER

ENGLAND, DAVID E

ART UNIT PAPER NUMBER

2143

DATE MAILED: 09/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/007,633

Applicant(s)

'T HOOFT, MAARTEN W.

Examiner

David E. England

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 June 2005.
2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-12 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 07/22/2005 *AL*
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____

DETAILED ACTION

1. Claims 1 – 12 are presented for examination.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1 – 12 are rejected under 35 U.S.C. 102(e) as being anticipated by Quatrano et al. U.S. Patent No. 6748420 (hereinafter Quatrano).

4. Referencing claim 3, as closely interpreted by the Examiner, Quatrano teaches a host system connected by a network to a support host having a support services resource, the host system comprising:

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5. at least one application having a support module for receiving a user request, (e.g. col. 24, lines 33 – 46 & col. 21, lines 30 – 57); and
6. a first support interface module comprising:
7. a session handler for receiving the user request from the support module and for controlling the activities of the first support interface module, (e.g. col. 23, lines 12 – 26);
8. at least a first session generated by the session handler for processing the user request, (e.g. col. 23, lines 12 – 26);
9. a first transport handler initialized by the at least a first session for managing communications with the support host, (e.g. col. 23, lines 12 – 26); and
10. at least a first transport generated by the first transport handler for communication of the at least a first session with the support services resource, (e.g. col. 23, lines 41 – 55).
11. Referencing claim 4, as closely interpreted by the Examiner, Quatrano teaches the at least a first session comprises an application programming interface through which the at least a first session cooperates with the support module to process the user request, (e.g. col. 23, lines 12 – 22).
12. Referencing claim 5, as closely interpreted by the Examiner, Quatrano teaches a second support interface module comprising:
13. at least a second session generated by the session handler for processing a user request, (e.g. col. 9, lines 44 – 64);

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14. a second transport handler initialized by the at least a second session for managing communications with the support host, (e.g. col. 9, lines 44 – 64); and

15. at least a second transport generated by the second transport handler for communication of the at least a second session with the support services resource, (e.g. col. 9, lines 44 – 64).

16. Referencing claim 6, as closely interpreted by the Examiner, Quatrano teaches the at least a second session comprises an application programming interface through which the at least a second session cooperates with the support module to process the user request, (e.g. col. 26, line 55 – col. 27, line 4).

17. Referencing claim 8, as closely interpreted by the Examiner, Quatrano teaches terminating the at least one session when the service request is either satisfied or withdrawn, (e.g. col. 26, lines 1 – 21).

18. Referencing claim 10, as closely interpreted by the Examiner, Quatrano teaches a support interface module, in a host system, comprising:

19. means for receiving a service request from the support module of an application interface of an application in the host system, (e.g., col. 21, lines 30 – 57);

20. means for establishing overall control of the service request process by the support interface module, (e.g., col. 21, lines 30 – 57);

21. means for generating at least one session for the service request by the support interface module, (e.g., col. 14, line 61 – col. 15, line 7 & col. 21, lines 30 – 57);

22. means for initializing communication control of the service request process by the support interface module, (e.g., col. 14, line 61 – col. 15, line 7 & col. 21, lines 30 – 57);
23. means for generating at least one transport for the at least one session by the support interface module, (e.g., col. 14, line 61 – col. 15, line 7 & col. 21, lines 30 – 57); and
24. means for transmitting and/or receiving data via the at least one transport by the support interface module, (e.g., col. 14, line 61 – col. 15, line 7 & col. 21, lines 30 – 57),
wherein said support module is for communication between the host system and a support system over a network, and said support system includes a support services resource, (e.g., col. 14, line 61 – col. 15, line 7 & col. 21, lines 30 – 57).

25. Claims 1, 2, 7, 9, 11 and 12 are rejected for similar reasons as stated above.

Response to Arguments

26. Applicant's arguments filed 06/06/2005 have been fully considered but they are not persuasive.

27. In the Remarks, Applicant argues in substance that Quatrano does not teach the limitation of “at least one application having a support module for receiving a user request”, in the passage cited by the Examiner. Furthermore, if Quatrano teaches said limitation, it is unclear from the rejection what in the section cited by the Examiner what is considered to be the application and what is considered to be the support module.

28. As to part 1, Examiner would like to remind the Applicant when reviewing a reference the applicants should remember that not only the specific teachings of a reference but also reasonable inferences which the artisan would have logically drawn therefrom may be properly evaluated in formulating a rejection. In re Preda, 401 F. 2d 825, 159 USPQ 342 (CCPA 1968) and In re Shepard, 319 F. 2d 194, 138 USPQ 148 (CCPA 1963). Skill in the art is presumed. In re Sovish, 769 F. 2d 738, 226 USPQ 771 (Fed. Cir. 1985). Furthermore, artisans must be presumed to know something about the art apart from what the references disclose. In re Jacoby, 309 F. 2d 513, 135 USPQ 317 (CCPA 1962). The conclusion of obviousness may be made from common knowledge and common sense of a person of ordinary skill in the art without any specific hint or suggestion in a particular reference. In re Bozek, 416 F.2d 1385, 163 USPQ 545 (CCPA 1969). Every reference relies to some extent on knowledge of persons skilled in the art to complement that which is disclosed therein. In re Bode, 550 F. 2d 656, 193 USPQ 12 (CCPA 1977).

29. Furthermore, if the Applicant were to look at column 21, line 33 et seq., one would see what the Applicant has stated in regards to the application 58 residing on application server 58 has a standard application invoker that receives request 120 for the application 58. This would read on the Applicant's broad claim language as stated above. Also, in regards to the collaboration adapter 200, the claim language is broad enough to have one of ordinary skill in the art to interpret that the support interface module could be the collaboration adapter 200. The Applicant is reminded that the claim language is void of determining if a host system could be a client or a server or a support host could be a client or a server system.

Conclusion

30. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David E. England whose telephone number is 571-272-3912. The examiner can normally be reached on Mon-Thur, 7:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on 571-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

David E. England
Examiner
Art Unit 2143

De



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